

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE**

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| SNMP RESEARCH, INC. and SNMP RESEARCH INTERNATIONAL, INC., | § | Case No. 3:20-cv-00451 |
| Plaintiffs, | § | § |
| | § | § |
| | § | § |
| v. | § | § |
| | § | § |
| | § | Jury Demand |
| Broadcom Inc., Brocade Communications Systems LLC, and Extreme Networks, Inc., | § | § |
| | § | § |
| Defendants. | § | § |

**PLAINTIFFS' UNOPPOSED MOTION TO WITHDRAW
AND REPLACE DOCUMENT FILED UNDER SEAL**

Come now Plaintiffs SNMP Research, Inc. ("SNMP Research") and SNMP Research International, Inc. ("SNMP Research International"), by and through counsel, and pursuant to the Fed. R. Civ. P. 5.2 and Local Rule 26.2(b), and this Court's Memorandum and Order Regarding Sealing Confidential Information [Doc. 11] and move this Court to withdraw Exhibit L to Plaintiff's December 1, 2023 filing [Dkt. 339-10] and replace it with a properly redacted version of the same document for the grounds as Plaintiffs state below (the "Motion"):

1. On December 1, 2023, Plaintiffs submitted Plaintiffs' SNMP Research, Inc.'s and SNMP Research International, Inc.'s Opposition to Extreme Networks, Inc.'s Supplemental Brief Regarding Privilege Assertions (the "Opposition") with Dkt. 337 being the redacted form and Dkt. 339 being the unredacted brief filed under seal. Several exhibits to the Declaration of Olivia Weber submitted in support of the Opposition were also filed under seal, including specifically, Exhibit L, Dkt. 339-10.
2. On December 7, 2023, counsel for Defendant Extreme Networks, Inc. ("Extreme") made Plaintiffs aware that Exhibit L to the Weber Declaration submitted in support of Plaintiffs' Opposition

contained within it certain information subject to a non-disclosure agreement between the parties which does not allow the parties to disclose the information in this litigation or otherwise, and therefore should not have submitted for filing without first redacting the document to protect that certain information shared under the parties' non-disclosure agreement. Plaintiffs inadvertently failed to redact Exhibit L before filing in order to protect information contained therein and by this Motion seek to address that inadvertent failure.

3. Plaintiffs propose to replace Exhibit L to the Weber Declaration filed with Plaintiffs' Opposition with a copy of the same document that is now redacted ("Replacement Exhibit L"). A true and correct copy of Replacement Exhibit L is submitted herewith.

4. Plaintiffs have conferred with counsel for Extreme and hereby confirm that Extreme does not oppose this Motion and that, with the redactions made to the Replacement Exhibit L, Extreme does not believe that Replacement Exhibit L to the Opposition should be filed under seal.

Wherefore, for the reasons as are set forth herein, and pursuant to Fed. R. Civ. P. 5.2 and Local Rule 26.2(b) of this Court, Plaintiffs seek leave to withdraw Exhibit L to the Weber Declaration submitted in support of Plaintiff's Opposition that was originally filed under seal as Dkt. 339-10, and to instead submit the above-referenced Redacted Exhibit L, as part of the public record in this matter though it is in redacted form.

Respectfully submitted this 7th day of December.

/s/ Cheryl G. Rice

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